

IFW # 8

920602-98737

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:)
Timothy John Warner)
Serial No.: 10/527,046)
Filing Date: March 8, 2005) Customer No.: 23644
For: Construction Kit)

RECEIVED

9 APR 2007

Legal Staff
International Division

RENEWED PETITION UNDER 37 C.F.R. §1.181

Assistant Commissioner for Patents
Mail Stop PCT
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Renewed Petition is being filed in view of the decision mailed by the Patent and Trademark Office on March 5, 2007.

In the decision of March 5, 2007, the legal examiner faulted the filing of May 5, 2006 in two respects. First, with regard to requirement (2), the legal examiner indicated that no statement was made of searching both the file jacket and docket records to show that the Office Action was not received. While the legal examiner appears to have overlooked the concluding sentence, namely "The undersigned can unequivocally confirm lack of receipt", to fulfill this requirement, the undersigned states for the Patent and Trademark Office that a search of both the file of this office and the docket records indicates that the Office Action was not received.

Regarding requirement (3), perhaps the legal examiner misunderstood what was provided to the Patent and Trademark Office. The attachments to the Petition received September 9, 2003 were all docket records of the firm of the undersigned having deadlines of September 22, 2005. While a "tickler sheet" could have been generated if that "tickler sheet" were prepared prior to September 22, 2005, the docket system of the firm of the undersigned does not allow an *ex parte facto* generation of any such sheet. Thus, instead although equivalently, the records submitted to the Patent and Trademark Office contain all docket entries of the firm of the undersigned having PTO action dates (that is, mailing dates by the PTO) of July 22, 2005. Had the Notice of Missing Requirements of July 22, 2005 for this

Electronic Acknowledgement Receipt

EFS ID:	1659147
Application Number:	10527046
International Application Number:	
Confirmation Number:	6824
Title of Invention:	Construction Kit
First Named Inventor/Applicant Name:	Timothy John Warner
Customer Number:	23644
Filer:	William M. Lee
Filer Authorized By:	
Attorney Docket Number:	920602-98737
Receipt Date:	05-APR-2007
Filing Date:	
Time Stamp:	18:02:56
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions.	Renewed-Petition-98737.pdf	65327	no	2

Warnings:

Information:

Total Files Size (in bytes):

65327

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.